HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.19089 of 2005

Dated 30th August, 2005

Between:

Smt. G.Manikyamma, W/o.Anand

Aged about 24 years R/o.Chenigonipally (v)

Gadwal Mandal, Mahaboobnagar Dist. .. Petitioner

And

The District Collector,

Mahaboobnagar and 3 others .. Respondents

HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.19089 of 2005

ORAL ORDER:

This writ petition is filed challenging the order in case No.CSI/605/2005, dated 19.08.2005 passed by the 2nd respondent and to quash the same.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents 1 to 3 and perused the material placed on record.

The learned counsel for the petitioner has contended that the impugned order does not indicate any basis for arriving at a conclusion that the petitioner was working as Assistant Nurse. Hence, the order under challenge suffers from non-application of mind and not based upon the material available on record.

The order dated 20.6.2005 passed by the 3rd respondent-Revenue Divisional Officer, Gadwal was set side by the Joint Collector holding that the petitioner herein was stated to be working as Assistant Nurse. The impugned order does not indicate any basis for arriving at such a conclusion that the writ petitioner was working as Assistant Nurse. In the absence of any material, such finding cannot be allowed to stand.

Hence, the impugned order dated 19.8.2005 is set aside and the matter is remitted back to the 2nd respondent-Joint Collector with a direction to dispose of the appeal preferred by the 4th respondent herein in accordance with law after affording a reasonable opportunity to both the petitioner and the 4th respondent.

With the above direction, the writ petition is disposed of. In the circumstances of the case, there shall be no order as to costs.

30.08.2005

bcj

Note: Furnish copy by tomorrow.

b/o.

bcj